

E-filed May 10, 2010

Laurel E. Davis (NV Bar. No. 3005)
 Craig S. Dunlap (NV Bar. No. 4974)
 FENNEMORE CRAIG, P.C.
 Bank of America Plaza, Suite 1400
 300 South Fourth Street
 Las Vegas, Nevada 89101
 Telephone: (702) 692-8000
 Facsimile: (702) 692-8064
ldavis@fclaw.com
cdunlap@fclaw.com

William P. Smith (IL Bar No. 6187205)*
 James W. Kapp III (IL Bar No. 6239269)*
 Miles W. Hughes (IL Bar No. 6279176)*
 MCDERMOTT WILL & EMERY LLP
 227 West Monroe Street, Suite 4400
 Chicago, Illinois 60606-5096
 Telephone: (312) 372-2000
 Facsimile: (312) 984-7700
wsmith@mwe.com
jkapp@mwe.com
mhughes@mwe.com

** Admitted Pro Hac Vice*

*Attorneys for Ambac Assurance Corporation, and
 The Segregated Account of Ambac Assurance
 Corporation*

**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

| | |
|---|----------------------------|
| In re | Chapter 11 |
| LAS VEGAS MONORAIL COMPANY, a Nevada non-profit corporation, | Case No. BK-S-10-10464-BAM |
| Debtor. | NOTICE OF APPEAL |
| | Date: N/A Time: N/A |

Ambac Assurance Corporation, on its own behalf and for The Segregated Account of Ambac Assurance Corporation, and the Segregated Account of Ambac Assurance Corporation by its court appointed Rehabilitator, the Office of the Commissioner of Insurance for the State of Wisconsin, (collectively “**Ambac**”), creditors, appeals under 28 U.S.C. § 158(a)(3) from the

1 *Order Regarding Ambac's Motion to Dismiss* [Docket 341] (the "**Order**") entered in the above-
 2 captioned chapter 11 case on the 26th day of April, 2010. A copy of the Order is attached hereto
 3 as **Exhibit A**.

4 The names of all parties to the Order appealed from and the names, addresses and
 5 telephone numbers of their respective attorneys are as follows:
 6

7 **APPELLANT:**

8 **WILLIAM P. SMITH**

9 MCDERMOTT WILL & EMERY LLP
 227 WEST MONROE STREET, STE
 10 4700
 CHICAGO, IL 60606
 312-984-7588
 11 wsmith@mwe.com

representing **AMBAC ASSURANCE
 CORPORATION**
(Creditor)

12 **LAUREL E. DAVIS**

13 FENNEMORE CRAIG, P.C.
 300 S. FOURTH STREET, #1400
 14 LAS VEGAS, NV 89101
 (702) 692-8000
 15 ldavis@fclaw.com

representing **AMBAC ASSURANCE
 CORPORATION**
(Creditor)

16 **AMY G. DOEHRING**

17 MCDERMOTT WILL & EMERY LLP
 227 WEST MONROE
 CHICAGO, IL 60606
 312-372-2000
 18 adoehring@mwe.com

representing **AMBAC ASSURANCE
 CORPORATION**
(Creditor)

19 **CRAIG S. DUNLAP**

20 FENNEMORE CRAIG, P.C.
 300 S. FOURTH STREET #1400
 LAS VEGAS, NV 89101
 (702) 692-8000
 21 cdunlap@fclaw.com

representing **AMBAC ASSURANCE
 CORPORATION**
(Creditor)

22 **MILES W. HUGHES**

23 MCDERMOTT WILL & EMERY LLP
 227 WEST MONROE STREET, STE
 24 4400
 CHICAGO, IL 60606
 312-984-6914
 25 mhughes@mwe.com

representing **AMBAC ASSURANCE
 CORPORATION**
(Creditor)

JAMES W. KAPP, III
 MCDERMOTT WILL & EMERY LLP
 227 WEST MONROE STREET, STE
 4400
 CHICAGO, IL 60606
 312-984-6885
 jkapp@mwe.com

representing

**AMBAC ASSURANCE
 CORPORATION**
(Creditor)

STEVEN S. SCHOLES
 MCDERMOTT WILL & EMERY LLP
 227 WEST MONROE STREET
 CHICAGO, IL 60606
 312-372-2000
 sscholes@mwe.com

representing

**AMBAC ASSURANCE
 CORPORATION**
(Creditor)

JEFFREY J. STEFFEN
 FENNEMORE CRAIG, P.C.
 300 S. FOURTH STREET, STE 1400
 LAS VEGAS, NV 89144
 702-692-8010
 jsteffen@fclaw.com

representing

**AMBAC ASSURANCE
 CORPORATION**
(Creditor)

APPELLEE:

GERALD M GORDON
 GORDON & SILVER, LTD.
 3960 HOWARD HUGHES PKY 9TH FLR
 LAS VEGAS, NV 89169
 (702) 796-5555
 bankruptcynotices@gordonsilver.com

representing

**LAS VEGAS MONORAIL
 COMPANY**
(Debtor)

WILLIAM M. NOALL
 GORDON & SILVER, LTD.
 3960 HOWARD HUGHES PKY 9TH FLR
 LAS VEGAS, NV 89169
 (702) 796-5555
 bankruptcynotices@gordonsilver.com

representing

**LAS VEGAS MONORAIL
 COMPANY**
(Debtor)

GABRIELLE A. HAMM
 GORDON & SILVER, LTD.
 3960 HOWARD HUGHES PARKWAY,
 9TH FLR
 LAS VEGAS, NV 89169-5978
 702-796-5555
 ghamm@gordonsilver.com

representing

**LAS VEGAS MONORAIL
 COMPANY**
(Debtor)

ERIKA PIKE TURNER
GORDON & SILVER, LTD.
3960 HOWARD HUGHES PKWY.
NINTH FLOOR
LAS VEGAS, NV 89109
(702) 796-5555
bankruptcynotices@gordonsilver.com

representing **LAS VEGAS MONORAIL
COMPANY**
(Debtor)

MATTHEW C. ZIRZOW
GORDON & SILVER, LTD.
3960 HOWARD HUGHES PARKWAY, 9TH
FLR
LAS VEGAS, NV 89169
(702) 796-5555
bankruptcynotices@gordonsilver.com

representing **LAS VEGAS MONORAIL
COMPANY**
(Debtor)

INTERESTED PARTY:

ATHANASIOS E. AGELAKOPOULOS
300 LAS VEGAS BLVD., SO., #4300
LAS VEGAS, NV 89101
(702) 388-6600
athanasios.agelakopoulos@usdoj.gov

representing **U.S. TRUSTEE - LV - 11**
300 Las Vegas Boulevard S.
Suite 4300
Las Vegas, NV 89101
USTPRegion17.lv.ecf@usdoj.gov
(U.S. Trustee)

ROB CHARLES
LEWIS AND ROCA, LLP
3993 HOWARD HUGHES PARKWAY
SUITE 600
LAS VEGAS, NV 89169
702-949-8320
rcharles@lrlaw.com

representing **Wells Fargo Bank, N.A.**
(Indenture Trustee)

SUSAN M. FREEMAN
LEWIS AND ROCA, LLP
40 NORTH CENTRAL AVENUE
SUITE 1900
PHOENIX, AZ 85004
602-262-5756
sfreeman@lrlaw.com

representing **Wells Fargo Bank, N.A.**
(Indenture Trustee)

ROBERT E. MCPEAK
BALLARD SPAHR LLP
100 NORTH CITY PKWY, STE
1750
LAS VEGAS, NV 89106
702-471-7000
mcpeakr@ballardspahr.com

representing

Director of the State of Nevada
Department of Business and Industry
c/o Rebecca J. Winthrop
Ballard Spahr LLP
2029 Century Park East
Suite 800
Los Angeles, CA 90067
424-204-4330
winthropr@ballardspahr.com
(Creditor)

STEFAN PALYS
LEWIS AND ROCA, LLP
3993 HOWARD HUGHES
PARKWAY
SUITE 600
LAS VEGAS, NV 89169
702-949-8320
spalys@lrlaw.com

representing

Wells Fargo Bank, N.A.
(Indenture Trustee)

REBECCA J. WINTHROP
BALLARD SPAHR ANDREWS &
INGERSOLL, LLP
2029 CENTURY PARK EAST #800
LOS ANGELES, CA 90067
(424) 204-4330
winthropr@ballardspahr.com

representing

Director of the State of Nevada
Department of Business and Industry
c/o Rebecca J. Winthrop
Ballard Spahr LLP
2029 Century Park East
Suite 800
Los Angeles, CA 90067
424-204-4330
winthropr@ballardspahr.com
(Creditor)

1 Dated: May 10, 2010

Respectfully submitted,

2 MCDERMOTT WILL & EMERY LLP

3 William P. Smith (IL Bar No. 6187205)

4 James W. Kapp III (IL Bar No. 6239269)

5 Miles W. Hughes (IL Bar No. 6279176)

6 FENNEMORE CRAIG, P.C.

7 By: /s/ Laurel E. Davis

8 Laurel E. Davis

9 Craig S. Dunlap

10 *Attorneys for Ambac Assurance Corporation,*
11 *and The Segregated Account of Ambac*
12 *Assurance Corporation* Respectfully submitted,
13
14
15
16
17
18
19
20
21
22
23
24
25
26